

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*In re* application of:

Westberry, et al.

Serial No.: 10/588,587

Filing Date: August 12, 2009

For: *Anti-Freeze Protein Enhanced Nucleic  
Acid Amplification*

Examiner: Babic, Christopher M


Art Unit: 1637

Conf. No.: 8800

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence, including listed enclosures, is being electronically transmitted in Portable Document Form (PDF) through EFS-Web via Hyper Text Transfer Protocol to the United States Patent and Trademark Office's Patent Electronic Business Center on:

Dated: OCTOBER 22, 2010

Signed:   
Nicholas Garnett

**RESPONSE AND AMENDMENT UNDER 37 C.F.R. § 1.111**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This paper is in response to a non-final Office Action mailed July 22, 2010. This response is being submitted on or before October 22, 2010, thereby making this a timely response.

Applicants believe no additional fees are due. Nonetheless, Applicants authorize the Commissioner to charge any fees which may be required, including extension fees and excess claims fees, or credit any overpayment, to Deposit Account No. 50-2387 (Our Order No. 46998.025; Our Docket No.: 34029/US/2).

Please amend the application as follows:

**Amendments to the specification** begin on page 2 of this paper

**A Listing of claims** begins on page 4 of this paper.

**Remarks** begin on page 7 of this paper.